UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,131	10/13/2000	Barry H. Schwab	TTI-102-C (12209.04248)	1035

7590 06/30/2005	EXAMINER
LAW OFFICE OF JOHN CHUPA & ASOCIATES, P.C. 28535 ORCHARD LAKE RD. STE. 50 FARMINGTON HILLS, MN 48334	HU, JINSONG

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 June 2004</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-33</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8 and 11-33</u> is/are rejected.

7)☒ Claim(s) <u>9 and 10</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-33 are presented for examination.

2.   It is acknowledged that the application is a CIP of several earlier filled

applications. After reviewing those earlier filled applications, Examiner determined that

only application 08/453,393 filed on 5/30/1995 (now is US patent 5,973,731) started to

claim the limitations that related to this application. Thus, the earliest priority date of this

application is 5/30/1995.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-8, 11-14 and 17-33 are rejected under 35 U.S.C. 102(e) as being

anticipated by Houvener (US 5,657,389).

5.   As per claims 1, 5-6, 8 and 11, Houvener teaches the invention as claimed

including a method of providing secure interactive communication of textual information

and image data between a central server computer and one or more client computer

terminals, located at remote sites, for the purpose of storing and retrieving files

describing and identifying unique products, services or individuals [col. 6, lines 6-10],

the steps of the method comprising:

separately storing textual information and image data from one or more of the

remote terminals at the location of the central server computer with the image data

being in compressed form and the textual information being included in a relational

database with identifiers associated with any related image data [col. 3, lines 43-55; col.

6, lines 38-49];

associating for independent retrieval at the central computer the image data and

the textual information [col. 3, lines 52-55; col. 6, lines4-8];

receiving and processing at the central computer single, multiple and

simultaneous requests for identification confirmation received from at least one of the

remote terminals [col. 5, lines 47-60]; and

recalling and downloading textual information and/or image data requested from

the at least one of the remote terminals to the requesting terminal for review, and

comparing the textual information and image data downloaded at the requesting

terminal with a product, service or individual to be identified [col. 6, lines 8-20].

6.   As per claims 2-4 and 7, Houvener teaches the step of assigning personal

identification number found on a card to the image data of first and second items to be

identified, and storing the identification number in the central server computer [col. 6,

lines 4-20].

7.   As per claims 12, 14 and 17-18, Houvener teaches the step of encrypting the

unique identification number of a user, the encrypted number serving as a decryption

key that would enable only authorized users to complete a transaction, storing the

encrypted image at the remote terminal and the decryption key at the central server [col.

6, lines 50-58].

8.   As per claims 13 and 19, Houvener teaches the central server computer is

interfaced with at least one other server computer [col. 8, lines 11-17] and the step of

uploading the images of the files describing the products, services or individuals into the

central server computer to create temporary or permanent records [col. 6, lines 61-63;

col. 7, lines 11-33].

9.   As per claims 20-22, Houvener teaches the image being uploaded to the central

server computer and stored in a separate transaction database and the step of

associating includes associating an identification image of a single account, transaction

or record with a plurality of accounts, transactions, or records [col. 6, lines 61-63; col. 7,

lines 11-33].

10.   As per claims 23 and 24, Houvener teaches the invention as claimed including a

method of providing secure interactive communication of text information between a

central server computer and one or more client computer terminals, located at remote

sites, for the purpose of storing and retrieving files describing and identifying an

individual [col. 6, lines 6-10], the steps of the method comprising:

separately storing into the central server computer textual data received

from a data input terminal into the central server computer [col. 3, lines 43-55; col. 6,

lines 38-49];

receiving and processing at the central server computer single, multiple

and simultaneous requests for identification received from the remote computer

terminals, at least one request for identification being received from a user

physically present at a remote terminal [col. 5, lines 47-60]; and

recalling and downloading the textual data to the remote computer

terminal that requested the textual data and comparing at the remote requesting

computer terminal the textual data downloaded thereto from the central server computer

with the individual to be identified [col. 6, lines 8-20].

11.   As per claims 25 and 28, since they teach the same limitations as claims 1 and

20-22 from different prospectors [i.e., client side and server side], they are rejected for

the same basis as claims 1 and 20-22 above.

12.   As per claims 26-27 and 29, Houvener teaches the user identifying images are

transmitted between transaction terminal and centralized computer [col. 6, line 59 – col.

7, line 33].

13.   As per claim 30, since it is an apparatus claim of claim 1, it is rejected for the

same basis as claim 1 above.

14.   As per claims 31-33, since they are system claims of claims 1 and 21-22, they

are rejected for the same basis as claims 1 and 21-22 above.

Claim Rejections - 35 USC § 103

15.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

16.   Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Houvener (US 5,657,389) as applied to claims 1-8, 11-14 and 17-33 above.

17.   As per claims 15-16, Houvener teaches the invention substantially as claimed in

claim 1. Houvener does not specifically teach storing an identification image in

encrypted form within an identification card and storing decryption key at the central

server. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to store an identification image in encrypted form within an identification card and decryption key at the central server because doing so would increase the secure level of the system by providing encryption and decryption function in both central server and client terminal to prevent defeating the system by a unauthorized person. One of ordinary skill in the art would have been motivated to modify Houvener's system to improve the security of the entire system.

Allowable Subject Matter

18.   Claims 9-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

19.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Goyal et al. (US 6,466,917), Monahan et al. (6,523,037), Wang (US 6,604,107), Findley (US 6,714,919), Hess et al. (US 6,732,161) and Vilhuber (US 6,748,543) disclose verification system.

20.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965.

The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

June 24, 2005

VIET D. VU
PRIMARY EXAMINER